

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

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RADIANSE, INC., )  
Plaintiff, )  
v. ) Civil Action No. 10-10120-RGS  
TWIN CITY FIRE INSURANCE COMPANY )  
Defendant. )

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**DECLARATION OF DIANE MARCOU  
IN SUPPORT OF  
THE OPPOSITION OF PLAINTIFF RADIANSE, INC. TO TWIN CITY FIRE  
INSURANCE COMPANY'S MOTION FOR SUMMARY JUDGMENT**

I, Diane Marcou, declare as follows:

1. I was a defendant in *AccountAbility Outsourcing, Inc. v. Marcou, et al.*, No. 08-1379 (Mass. Super. Ct., Suffolk County), and involved in the proceedings of that case.
2. I was deposed twice in that case. I believe the first deposition was in April, 2008.

I know one other individual was also deposed in May, 2008.

3. I know we had to wait for months to get a final denial from Twin City.
4. Not knowing, for months, whether Twin City would cover our claim or not,

affected how the case was managed and the settlement proceedings. Had we known one way or the other whether the claim was denied, we could have and, I think, we would have made different decisions in handling the case.

5. The denial itself hurt Radianse but I also believe that the delay and indecision on the part of Twin City hurt the company as well.

I declare under penalty of perjury that the foregoing is true and correct. Executed on September 9, 2010



Diane Marcou

**Certificate of Service**

I, Jack R. Pirozzolo, hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) on September 10, 2010.

*/s/ Jack R. Pirozzolo*  
Jack R. Pirozzolo